REGULATION No. V OF 1906.

(PASSED ON THE 14TH DAY OF AUGUST 1906.)

A Regulation further to amend the Mysore Excise Regulation V of 1901.

Preamble.

Whereas it is expedient further to amend the Mysore Excise Regulation, 1901 (hereinafter referred to as "the said Regulation"); His Highness the Maharaja is pleased to enact as follows:—

Short title.

1. This Regulation may be cited as the Mysore Excise (Amendment) Regulation 1906.

Insertion of a new section after section 5.

2. The following shall be in inserted in the said Regulation as section 5-A:—

Power of Government to authorise officers to admit persons arrested to bail.

"5-A. The Government may, by notification, and subject to such conditions as may be prescribed in such notification, empower all or any of the officers or classes of officers or persons mentioned in section 34, either by name or in virtue of their office, throughout Mysore or in any local area, to admit a person arrested under that section to bail to appear, when summoned or otherwise directed, before an Excise officer having jurisdiction to enquire into the offence for which such person has been arrested, and may cancel or vary such notification."

Addition of a proviso to section 34.

3. The following shall be added as a proviso to section 34 of the said Regulation:—

Procedure in case of person arresting not being empowered under section 5-A.

"Provided that if the officer or person making the arrest under this section be not empowered under section 5-A to admit to bail, the person arrested shall be forthwith forwarded to an officer so empowered if there be such an officer within a distance of five miles from the place where such arrest took place."

"And it shall be the duty of such officer empowered as aforesaid to admit such person to bail if sufficient bail be tendered for his appearance before an Excise officer having jurisdiction to enquire into the case."

Amendment of section 40.

4. In section 40, sub-section (1), of the said Regulation, between the words "accepted under the provisions of section 31" and the word "forthwith," the following words shall be inserted, namely:—

"or of Section 34";

and in sub-section (3), between the words "on bail" and the words "such officer" the following words shall be inserted, namely:—

"or when such Excise officer as aforesaid has himself made the arrest."

Addition of a proviso to section 40.

5. The following shall be inserted as a proviso to section 40 of the said Regulation:—

Power of Excise officer to admit persons to bail to appear before himself or other officer having jurisdiction.

"Provided that if such enquiry is not commenced and completed on the day on which such person is arrested by or is brought or appears before such Excise officer, the said officer shall, if sufficient bail be tendered for the appearance of the person arrested, admit the said person to bail to appear on any subsequent day before himself or any other Excise officer having jurisdiction to enquire into the case."

V. P. MADHAVA RAO,
Dewan.

ERRATUM.

No. J. 476, *dated* 18*th August* 1906.

In section 13 of the Mysore Mines Regulation, No. IV of 1906, as published in the issues of the *Mysore Gazette*, Part III, dated the 9th August 1906 and the 16th August 1906, the figure "10" should be inserted between "7" and "11."

By Order,
K. S. CHANDRASEKHARA AIYAR,
Secy. to Govt., Gen. & Rev. Depts.